FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPEAL NO.127 OF 2004

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mrs.G.P.Mulekar APP for the appellant

Mr.P.D.Dalvi for the respondent.

Coram : R.S.Mohite,J

Date : 1.2.2006.

PC

1. Heard both sides. This is an appeal impugning a judgment and order passed by the Adhoc Additional Sessions Judge, Kolhapur on 4.2.2003 acquitting respondent no.1 Krishna of the offences punishable under Sections 325 and 323 r/w 34 of IPC. On perusal of the impugned judgment and order it is seen that the same has been passed for cogent and acceptable reasons. According to the prosecution, 3 persons by name Vilas, Sanjay & Shankar were beaten in the incident. Vilas in his evidence talked about all the 3 accused beating him but the role attributed to

the present respondent no.1 Krishna was missing in the FIR. As far as beating by Sanjay & Shankar, there are no medical certificate produced. The view taken is a possible view. Hence, leave is refused and consequently, appeal to stand dismissed.

(R.S.Mohite,J)